

IN THE U.S. PATENT AND TRADEMARK OFFICE

Inventor Henning BUCHOLD

Patent App. 10/571,997

Filed 9 March 2007

For INTERMEDIATE PRODUCT BASED ON THE ORGANIC
CARBONATES A...

Art Unit 1796 Examiner Godenschwager, P

Hon. Commissioner of Patents

Box 1450

Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OVERCOME A DOUBLE-PATENTING REJECTION

The undersigned states:

That he is the duly appointed attorney for the inventor
of the above-captioned application;

That the Assignee of record, namely Lurgi AG (Germany),
own all rights to the instant invention;

That the undersigned hereby disclaims the terminal part of any patent granted on application 10/571,997 which would extend beyond the expiration date of the full statutory term defined in 35 USC 154-156 and 173, as currently shortened by any terminal disclaimer, of commonly assigned 10/571,479 and hereby agrees that any patent so granted on application 10/571,997 shall be enforceable only as long and during such period as the legal title thereto shall be the same as the legal title to 10/571,479, this agreement to run with any patent granted on application 10/571,997

and to be binding upon the grantee thereof, its successors, and assigns; and

In making the above disclaimer the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154-165 and 173 of 10/571,476, as currently shortened by any terminal disclaimer, in the event that it later either expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as currently shortened by any terminal disclaimer; and

Atty's 23508

Pat. App. 10/571,997

That application 10/571,997 and application 10/571,479
are commonly assigned to Lurgi AG (Germany).

K.F. Ross P.C.

/Jonathan Myers/

By: Jonathan Myers, 26,963
Attorney for Applicant

10 December 2008
5683 Riverdale Avenue Box 900
Bronx, NY 10471-0900
Cust. No.: 535
Tel: 718 884-6600
Fax: 718 601-1099
Email: email@kfrpc.com

Enclosure:
PTO 2038